REMARKS

Favorable reconsideration and allowance of this application are requested.

1.   Discussion of Amendments

By way of the amendment instructions above, pending independent claim 13 has been revised so as to include therein the subject matter of claim 15. Claim 14 and claim 15 (now redundant) have been canceled. The remaining dependent claims were revised for the purpose of conformity.

Therefore, following entry of this amendment, claims 13 and 16-24 will remain pending herein for consideration. Favorable action on the merits of such pending claims is therefore solicited.

2.   Response to 35 USC §103(a) Rejection

The only issue remaining to be resolved in this application is the alleged "obviousness" of prior claims 15-24 under 35 USC §103(a) based on Benjamin (GB 1386953) in view of Bhatnagar et al (USP 6,846,758).[1]

In this regard, applicant notes the following with regard to Benjamin:

i.   Benjamin is completely silent with regard to a <u>wrinkle free</u> object that is curved in one more directions like the one according to the presently claimed invention. On the contrary, according to Benjamin the objects disclosed therein do in fact have wrinkles at the corners (pg. 2, left column, hi. 36-40). Therefore the objects of Benjamin are not wrinkle-free as required by the pending claims herein.

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[1] The amendment of claim 13 to include the subject matter of prior claim 15 renders moot the Examiner's rejection advanced against prior claims 13 and 14 under 35 USC §102(b) based on Benjamin alone.

    ii.   The objects of Benjamin do not contain at least one ply containing polymeric fibers. Instead, the objects of Benjamin contain either fiberboards, i.e. boards of resin-impregnated vegetable fibers (pg. 1, left column, In. 41-42), either sheets of thermoplastic polymers, i.e., preformed sheets obtained by e.g., compressing granules or powders of a polymer (pg. 3, left column, In. 7-10 and Examples). The fiberboard does not contain polymeric fibers but instead contains vegetal fibers and the sheets of thermoplastic polymers do not contain fibers at all. Therefore, the sheets used in Benjamin cannot be considered plies containing polymeric fibers as required by the pending claims herein.

    iii.   Because the objects of Benjamin do not contain plies of polymeric fibers (see *ii.* above), these objects cannot exhibit at different locations a different mean fibre diameter as required by the amended version of claim 13 of the present application.

Therefore, based on at least the above comments, it is submitted that the objects of Benjamin are <u>not</u> wrinkle-free and they do <u>not</u> contain plies of polymeric fibers (thereby precluding any discussion about even an implicit disclosure of different mean fiber diameters in the plies).

In contrast with such objects of Benjamin, the objects according to applicant's pending claim 13 <u>are</u> wrinkle-free, <u>do</u> contain polymeric fibers, and <u>do</u> show a difference between the mean fiber diameter at different locations.

In order to cure such deficiencies of Benjamin, the Examiner then apparently turns to Bhatnagar. In this regard, the Examiner's position appears to be that since the object of Bhatnagar comprises polymeric fibers that may be of different denier, strengths and nature, it would be obvious to a skilled one that the object would exhibit

different mean fiber diameter at different locations. With all due respect, applicant cannot follow the logic supporting such a conclusion.

Bhatnagar indeed recites at col. 6, ln. 1-5, ranges for the denier of the yarns suitable for use in the objects thereof and at col. 6, ln. 47-50 that yarns with different fibers may be used in warp and weft directions. However, these disclosures do <u>not</u> explicitly or implicitly teach that the mean fiber diameter <u>varies from one location to another</u> in the object of Bhatnagar. To support this conclusion, the applicant offers the following explanation.

Assuming a first certain location on the object of Bhatnagar, this first location may contain a first composition comprising a certain number of fibers which according to the Examiner may have different denier, strength and being of different nature. Averaging the diameters of all these fibers would yield a certain mean fiber diameter specific for this first location.

Moving to <u>any</u> other location, a skilled person would find a composition of fibers which is <u>identical and the same</u> with the first composition because it contains <u>the same</u> fibers in <u>the same</u> arrangement in <u>the same</u> number.

In other words, although the objects of Bhatnagar may contain a composition of fibers of different denier, strength and nature, their composition in the object <u>does not change</u> from one location to another in such object.

Computing the mean fiber diameter at said any other location in the object of Bhatnagar, a skilled person will thus obtain the same mean fiber diameter as the one computed at the first location.

Therefore, applicant submits that the object of Bhatnagar does not exhibit in different locations a different mean fiber diameter, let alone a difference of at least 7%. As such, the object of Bhatnagar does not cure the deficiencies of Benjamin and

therefore cannot render the currently pending claims obvious.

Applicant is again at a loss with regard to the apparent argumentation of the Examiner regarding a possible optimization of the difference between mean fiber diameters as stated on page 4 of the official action. In this regard, the Examiner asserts that the difference between the greatest and the smallest mean value of fiber diameters may be routinely optimized in order to improve the resistance of the object against ballistic projectiles (hereafter ballistic resistance). According to the Examiner's stated rationale, a skilled one would attempt <u>to reduce</u> the difference between the greatest and the lowest mean fiber diameter in order to optimize such ballistic resistance.

However, these factually unsupported assertions by the Examiner are in stark contrast with the explicit language of pending claim 13 which now recites a difference between the greatest and the smallest mean value of the fibers' diameters of <u>at least</u> 7% -- i.e., a direction that 7% or greater mean value difference is in fact contemplated.

If a skilled person were to follow the logic of the Examiner, then such a person would attempt <u>to reduce</u> the difference between the greatest and the smallest mean value of fibers' diameter and thus attempt to reach a difference of 0% thus below 7%.

Therefore, such measures would lead the skilled one astray of the present invention and accordingly, Bhatnagar cannot possibly affect the non-obviousness of the present application. In any event, the Examiner's rationale cannot be relied upon at all to support her contention that the property defined in the applicant's claims with regard to mean value different in the fibers' diameter is a "result effective variable". As noted above, it most certainly cannot be considered such given the Examiner's rationale to support her prior rejection of record.

Withdrawal of the rejection advanced under 35 USC §103(a) based on Benjamin in view of Bhatnagar et al is therefore in order.

3.   Fee Authorization

The Commissioner is hereby authorized to charge any <u>deficiency</u>, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

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